

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

PAMELA G. CAPPETTA,
for herself and on behalf of all other similarly situated individuals,

Plaintiff,

v.

Civil Action No. 3:08cv288

GC SERVICES, LP,

Defendant.

PLAINTIFFS' MOTION FOR CLASS CERTIFICATION

COME NOW the Plaintiff, **PAMELA G. CAPPETTA**, for herself and on behalf of all other similarly situated individuals, by counsel, and pursuant to Fed. R. Civ. P. 23, they move the Court to Certify the following class and an in the alternative subclass, as defined herein, under Rule 23(b)(3) to seek statutory and punitive damages, and attorneys fees and costs, pursuant to 15 U.S.C. §1681n:

a. *Primary Class:*

The Plaintiffs ask the Court to certify a class seeking relief for a violation of 15 U.S.C. §1681b(f), defined as follows, as amended to conform to the evidence discovered in this case pursuant to Fed. R. Civ. P. 8(f) and 15(b), and as detailed more fully in Plaintiff's supporting Memorandum:

All natural persons with addresses within the United States who were not listed as a basic cardmember on any account assigned by American Express to GC Services for collection and regarding whom GC Services obtained an Experian Full Address Update consumer report within the two-year period preceding the filing date of the Complaint.

b. *Alternate Subclass:*

The Plaintiff also asks the Court to certify a subclass seeking relief for a violation of 15

U.S.C. §1681b(f), defined as follows:

All natural persons with addresses within the United States who were listed only as authorized users or supplemental cardholders on any account assigned by American Express to GC Services for collection and regarding whom GC Services obtained an Experian Full Address Update consumer report within the two-year period preceding the filing date of the Complaint.

Respectfully submitted,
PAMELA G. CAPPETTA,

/s/

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Counsel for the Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on the 31st day of July, 2009, I have electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification to the following:

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